



Entered on Docket
September 23, 2011

A handwritten signature in dark ink, appearing to read "Linda B. Riegle".

Hon. Linda B. Riegle
United States Bankruptcy Judge

LEWIS AND ROCA LLP

Robert M. Charles, Jr. (NV 6593)
John Hinderaker (AZ 018024)
Marvin Ruth (NV 10979)
3993 Howard Hughes Parkway, Ste. 600
Las Vegas, Nevada 89169-5996
Telephone (702) 949-8320
Facsimile (702) 949-8321
Email: rcharles@lrlaw.com
jhinderaker@lrlaw.com
mruth@lrlaw.com

Attorneys for USACM Liquidating Trust

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In re:

USA COMMERCIAL MORTGAGE
COMPANY,

Debtor.

Case No. BK-S-06-10725-LBR

CHAPTER 11

**Order Sustaining Second Omnibus
Objection Of USACM Trust To
Unallocated Amounts of Proofs Of Claim**

Hearing Date: August 30, 2011

Hearing Time: 10:30 a.m.

The Court having considered the "Second Omnibus Objection Of USACM Trust To Unallocated Amounts of Proofs Of Claim ("Unallocated Amount") [DE 8698] (the "Objection"); the Court having heard the Objection on August 30, 2011; appropriate notice of the Objection having been given; no response to the Objection having been filed; and good cause appearing:

IT IS ORDERED that:

1. The Objection [DE 8698] is sustained;

1 2. The Proofs of Claim listed on **Exhibit A** attached are disallowed to the
2 extent the amount of the claim as stated on the face of proof of claim exceeds the amount
3 of the claim supported by the documentation provided with the proof of claim, i.e., the
4 Unallocated Amount as shown on **Exhibit A** attached; and

5 3. This order concerns only the Unallocated Amount of the claim and not any
6 other claim of the claimants.

7
8 PREPARED AND RESPECTFULLY SUBMITTED BY:

9
10 **LEWIS AND ROCA LLP**

11 By /s/ John Hinderaker (AZ #018024)

12 Robert M. Charles, Jr.

13 John Hinderaker (*pro hac vice*)

14 3993 Howard Hughes Parkway, Ste. 600

15 Las Vegas, Nevada 89169-5996

16 Telephone: (702) 949-8320

17 Facsimile: (702) 949-8321

18
19 *Attorneys for USACM Liquidating Trust*
20
21
22
23
24
25
26

LOCAL RULE 9021 CERTIFICATION

In accordance with LR 9021, counsel submitting this document certifies that the order accurately reflects the court's ruling and that (check one):

_____ This Court has waived the requirement set forth in LR 9021(b)(1).

XXX No party appeared at the hearing or filed an objection to the motion.

_____ I have delivered a copy of this proposed order to all counsel who appeared at the hearing, and any unrepresented parties who appeared at the hearing, and each has approved or disapproved the order, or failed to respond, as indicated below [list each party and whether the party has approved, disapproved, or failed to respond to the document]:

Counsel appearing: _____

_____ I certify that this is a case under Chapter 7 or 13, that I have served a copy of this order with the motion pursuant to LR 9014(g), and that no party has objected to the form or content of the order

U.S. Trustee: <u>Augie Landis</u>	
<input type="checkbox"/> approved the form of this order	<input type="checkbox"/> disapproved the form of this order
<input checked="" type="checkbox"/> waived the right to review the order and/or	<input type="checkbox"/> failed to respond to the document
Other Party: _____	
<input type="checkbox"/> approved the form of this order	<input type="checkbox"/> disapproved the form of this order
<input type="checkbox"/> waived the right to review the order and/or	<input type="checkbox"/> failed to respond to the document

Submitted by:
LEWIS AND ROCA LLP

By: /s/ John Hinderaker. (AZ #018024)
Attorneys for USACM Liquidating Trust

#

USACM Trust
Unallocated Amounts Of Proofs Of Claim
Multiple Loan Claims

Claim	Date Claim was Filed	Name	Address	Total Claim Amount	Approximate Amount Subject to Objection Because The Trust Could Not Allocate Amount to a Specific Direct Lender Loan
10725-02207	1/5/2007	Barcia, Daniel	1600 Picket Ct Reno, NV 89521	225,000.00	25,000.00
10725-02228	1/12/2007	Barzan Family Trust Dtd 5/23/90	John C & Rosemarie A Barzan Ttees 1409 Morada Dr Modesto, CA 95350-0655	253,643.04	1,821.52
10725-02148	1/12/2007	Bishofberger, Brooks	1727 Golden Horizon Dr Las Vegas, NV 89123-2433	54,458.35	4,458.35
10725-02431	1/11/2007	Brines Revoc Fam Trust Dtd 11/5/94, Michael & Cind	Michael R & Cindy G Brines Ttees 4935 El Sereno Ave La Crescenta, CA 91214-3018	771,119.58	2,613.01
10725-02263	1/12/2007	Burgarello Inc Profit Sharing Plan	Ronald A Johnson Ttee 50 Snider Way Sparks, NV 89431-6308	405,600.00	2,800.00
10725-02061	1/11/2007	Callahan & Maradon Jt Tenents, Valerie & Charles	12585 Creek Crest Dr Reno, NV 89511	589,738.84	4,262.37
10725-02113	1/11/2007	Charles B Dunn Iv Trust Dtd 8/12/05	C/O Charles B Dunn Iv Trustee 17042 Norlene Way Grass Valley, CA 95949-7161	690,996.08	4,890.99
10725-02060	1/11/2007	Charles R & Jean Maraden Fam Tr Dtd 12/16/03	Charles & Jean Maraden Ttees 12585 Creek Crest Dr Reno, NV 89511	202,622.46	1,311.23
10725-02261	1/12/2007	Cibb Inc Pension Plan	Ronald A Johnson Ttee 50 Snider Way Sparks, NV 89431	405,600.00	2,800.00
10725-02190	1/12/2007	Colborn Revocable Living Trust Dtd 8/6/90	Larry E & Loretta A Colborn Ttees 1127 Broken Wagon Trail Dewey, AZ 86327	488,408.12	3,597.01

EXHIBIT A

2424558.1